

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: DARRELL F. HAMM and : CHAPTER 13
HOLLY A. HAMM :
Debtor(s) :
 :
CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
Movant :
 :
vs. :
 :
DARRELL F. HAMM and :
HOLLY A. HAMM :
Respondent(s) : CASE NO. 1-18-bk-02340

TRUSTEE'S OBJECTION TO FOURTH AMENDED CHAPTER 13 PLAN

AND NOW, this 19th day of November, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtors' have excess non-exempt equity in the following:

a. Residential real estate.

2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

a. Secured claims not in plan (Global Funding – Claim #4).

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/James K. Jones

Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 19th day of November, 2018, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

John Hyams, Esquire
2023 N. 2nd Street, Suite 203
Harrisburg, PA 17102

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee22